

AMENDED IN ASSEMBLY MARCH 19, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 275

Introduced by Assembly Member Alejo

February 11, 2013

An act to amend Section 54441.5 of the Education Code, relating to migrant education.

LEGISLATIVE COUNSEL'S DIGEST

AB 275, as amended, Alejo. Migrant education.

Existing law requires the State Board of Education to adopt a state master plan for services to migrant children. ~~Under existing law, with the concurrence of a child's parent, a child who has been identified as a "migrant child" may be deemed a migrant child for a period, not in excess of 3 years, during which the child resides in an area where programs are provided for migrant children.~~ *Existing law also requires the Superintendent of Public Instruction to take the steps necessary to ensure effective parental involvement throughout the state migrant education program, which include establishing a statewide parent advisory council, as specified, to participate in the planning, operation, and evaluation of the state migrant education program. Existing law further requires the council to meet a minimum of 6 times per calendar year to provide input on issues relating to the operation of the program.*

~~This bill would make a nonsubstantive change to the latter provision~~ *instead require the council to meet 9 times per calendar year to provide input on issues relating to the operation of the program.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 54444.2 of the Education Code is amended*
2 *to read:*

3 54444.2. (a) The Superintendent of Public Instruction shall
4 take the steps necessary to ensure effective parental involvement
5 throughout the state migrant education program, which shall
6 include, but need not be limited to, the following:

7 (1) The Superintendent shall adopt rules and regulations
8 requiring each operating agency receiving migrant education funds
9 or services to actively solicit parental involvement in the planning,
10 operation, and evaluation of its programs through the establishment
11 of, and consultation with, a parent advisory council.

12 (A) The membership of each parent advisory council shall be
13 ~~comprised~~ *composed* of members who are knowledgeable ~~of about~~
14 the needs of migrant children, and shall be elected by the parents
15 of migrant children enrolled in the operating agency's programs.
16 The composition of the council shall be determined by the parents
17 at a general meeting to which all parents of pupils enrolled in the
18 migrant program shall be invited. Parents shall be informed, in a
19 language they understand, that the parents have the sole authority
20 to decide on the composition of the council. All parent candidates
21 for the council shall be nominated by parents; nonparent candidates
22 shall be nominated by the groups they represent: teachers by
23 teachers, administrators by administrators, other school personnel
24 by other school personnel, and pupils by pupils. All other
25 community candidates shall be nominated by the parents. Each
26 parent advisory council shall hold meetings on a regular basis
27 during the operation of the regular program, but not less than six
28 times during the year.

29 (B) At least two-thirds of the members of each parent advisory
30 council shall be the parents of migrant children. Each parent
31 advisory council shall have the responsibilities listed in subdivision
32 (a) of Section 54444.4.

33 (2) The Superintendent shall establish a statewide parent
34 advisory council that shall participate in the planning, operation,
35 and evaluation of the state migrant education program. The
36 membership of the statewide parent advisory council shall be
37 ~~comprised~~ *composed* of members who are knowledgeable ~~of about~~
38 the needs of migrant children, and shall be nominated and elected

1 by the parents of migrant children enrolled in the operating
2 agencies. At least two-thirds of the members of the State Parent
3 Advisory Council shall be the parents of migrant children. The
4 state council shall meet a minimum of ~~six~~ *nine* times ~~a~~ *per* calendar
5 year to provide input on issues relating to the operation of the
6 program. Special meetings may be called at the discretion of the
7 state director.

8 (3) (A) The Superintendent also shall sponsor an annual State
9 Parent Advisory Council Conference. The conference shall be
10 scheduled during the spring of every year.

11 (B) The State Parent Advisory Council shall prepare and submit
12 a report to the Legislature, *the* state board, the Superintendent, and
13 the Governor regarding the status of the migrant education
14 program. The report shall be submitted within 120 days from the
15 conclusion of a training program on preparing the report provided
16 by the Superintendent in accordance with paragraph (5).

17 (C) The report shall include an evaluation of the migrant
18 education program, as required pursuant to paragraph (2) of
19 subdivision (a), a review of annual needs and a year-end
20 assessment, as required pursuant to paragraph (2) of subdivision
21 (a) of Section 54444.4, and policy recommendations.

22 (4) The Superintendent and each operating agency shall furnish,
23 without charge, to the statewide and operating agency parent
24 advisory councils and, upon request, to each member, a copy of
25 all applicable state and federal migrant education statutes, rules
26 and regulations, and guidelines. In addition, the Superintendent
27 and each operating agency shall furnish, without charge, to the
28 statewide and operating agency parent advisory councils and, upon
29 request, to each member, copies of all applicable state and federal
30 audits, monitoring reports, and evaluations.

31 (5) The Superintendent and each operating agency shall establish
32 and implement training programs for members of the statewide
33 and operating agency parent advisory councils to enable them to
34 carry out their responsibilities. Each training program shall be
35 developed in consultation with the parent advisory councils, and
36 shall include appropriate training materials in a language
37 understandable to each member. Costs incurred in providing
38 training under this paragraph, including federally authorized
39 expenses associated with the attendance of members at training
40 sessions, shall be funded, to the extent that funds are available, by

1 federal funds allocated to the state, based upon the educational
2 and related health needs of migratory children defined in
3 subdivisions (a) and (b) of Section 54441, and may be supported
4 by funds from the state migrant education program.

5 (b) Each operating agency that provides services on a statewide
6 basis shall be exempt from the requirement that it create its own
7 parent advisory council, but shall consult the statewide parent
8 advisory council in the planning, operation, and evaluation of its
9 programs.

10 ~~SECTION 1. Section 54441.5 of the Education Code is~~
11 ~~amended to read:~~

12 ~~54441.5. With the concurrence of the child's parent, a child~~
13 ~~who has been identified as a "migrant child" may be deemed a~~
14 ~~migrant child for a period, not in excess of three years, during~~
15 ~~which the child resides in an area where programs are provided~~
16 ~~for migrant children. Priority for the provision of services shall be~~
17 ~~consistent with federal statutes and regulations that govern migrant~~
18 ~~education programs.~~